UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA,

: CASE NO. 1:10-CR-00207-JG

Plaintiff,

.

vs. :

OPINION & ORDER [Resolving Doc. No. 70]

CYNTHIA LEWIS,

:

Defendant.

:

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Defendant Cynthia Lewis moves *pro se* for a reduction of her 46-month sentence. She says she has "turned [her] life around" and would like to "go home to [her] disabled son and [her] granddaughter." The Government opposed her motion.

In May 2010, a Grand Jury indicted Lewis on two counts: (1) conspiracy to distribute and possess with the intent to distribute marijuana, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A), and 846; and (2) conspiracy to launder monetary instruments, in violation of 18 U.S.C. § 1956(h).⁴
Lewis pled guilty to both counts.⁵/
The Court sentenced Lewis to 46 months on each count to be served concurrently.⁶/

Lewis now moves for a sentence reduction because she says she has a "clean" prison record, has "completed the Non-Residential Drug Program," is enrolled in college, and has completed

 $[\]frac{1}{2}$ Doc. $\frac{70}{2}$ at 1.

 $[\]frac{2}{2}$ Doc. $\frac{70}{2}$ at 1.

 $[\]frac{3}{2}$ Doc. $\frac{71}{2}$.

 $[\]frac{4}{\text{Doc.}}$ 1.

 $[\]frac{5}{2}$ Doc. $\frac{53}{2}$.

 $[\]frac{6}{}$ Doc. $\underline{62}$.

Case: 1:10-cr-00207-JG Doc #: 72 Filed: 06/04/13 2 of 2. PageID #: 294

Case No. 1:10-CR-00207-JG

Gwin, J.

"several psychological programs." While Lewis's achievements are laudable, this Court is without

jurisdiction to consider her motion. First, "a sentencing judge loses jurisdiction over a prisoner once

he has begun to serve his sentence." Though a sentencing judge retains jurisdiction to correct an

illegal sentence, Lewis fails to say that the Court imposed her sentence illegally.

And, though a court may also reduce a term of imprisonment "based on a sentencing range

that has subsequently been lowered," Lewis does not show that the applicable sentencing range for

her convictions has been lowered. Thus, because Lewis has failed to show that the Court imposed

an illegal sentence, and because Lewis has failed to show that the applicable sentencing range for

her convictions has been lowered, the Court lacks jurisdiction to consider Lewis's motion.

Conclusion

For the reasons above, the Court **DENIES** Lewis's motion.

IT IS SO ORDERED.

Dated: June 4, 2013

James S. Gwin

JAMES S. GWIN

UNITED STATES DISTRICT JUDGE

 $[\]frac{7}{2}$ Doc. 70 at 1.

^{8/}Rodger v. White, No. 89-5720, 1990 WL 95624, at *4 (6th Cir. July 11, 1990) (citing United States v. Adams, 362 F.2d 210, 211 (6th Cir. 1966) and Stone v. United States, 295 F.2d 241 (6th Cir. 1961)).

^{9/}Rodger, 1990 WL 95624, at *4 n.4.

^{10/18} U.S.C. § 3582(c).